



**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, SEPTEMBER 15, 2014  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING THE 2014 PROPERTY TAX LEVY**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the public hearing was then read:

“The Board of Aldermen of the City of Manchester will hold a public hearing at 7:00 p.m. on September 15, 2014 at the Manchester Police Headquarters, 200 Highlands Boulevard Drive, at which time citizens may comment on the proposed 2014 Property Tax Levy for the City’s General Operating Fund and Debt Service Fund. Specific discussion will be held regarding the current year rate ceiling and voluntary rate reduction.”

Mayor Willson advised that first the proponents would speak, then opponents, if any, would speak, followed by questions or comments from the public and questions or comments from the Board of Aldermen.

Speaking as a proponent, Director of Finance Dave Tuberty explained that there is available a Substitute Bill 14-2200, with the only change to the original Bill being the addition of a new Section Four which reads: “The City elects to reverse the 2013 voluntary property tax rate reduction.” Director Tuberty said his comments would deal with that new section.

Director Tuberty stated that on September 2, a Bill was introduced concerning the 2014 property tax levy. The Bill indicated that the 2014 rates would be the same as the 2013 rates, which would be 5 cents per \$100 assessed valuation for personal property, 4.5 cents per \$100 assessed valuation for commercial property and 4.5 cents per \$100 assessed valuation for real property, based on the assumption the valuations would be the same for 2014 as they had been for 2013.

Director Tuberty stated that on September 3, the Missouri State Auditor’s Office observed that the assessed valuation for residential and personal property had gone up a small amount. Under the Hancock Amendment, if a city’s assessed valuation goes up, tax rates must go down so the city does not receive more income than the previous year without a vote of the people. This increase in

valuation for residential and personal property requires the Board to recalculate the tax rate unless the Board decides to reverse the voluntary reduction in tax rates taken in 2013. The Missouri State Auditor's Office said that the recalculated rates would be 5 cents per \$100 valuation for personal property which is the same; commercial property rates would be 4.4 cents per \$100 assessed valuation as opposed to 4.5 cents per \$100 of assessed valuation as shown in the original Bill, and for residential property, the rate would be 4.7 cents per \$100 assessed valuation as opposed to 4.5 cents per \$100 of assessed valuation as set forth in the original Bill. By reversing last year's voluntary reduction, the City can maintain the 2014 taxes at the same rates as 2013. If the City does not reverse the voluntary reduction, tax rates on personal property would remain the same, residential rates would go up from 4.5 cents to 4.7 cents, and commercial would be 4.4 cents, down from 4.5 cents.

Director Tuberty said that 2014 is the first year the City has had to consider reversing of its voluntary reduction. The reversing of the voluntary reduction established in 2013 has no change; it is a very technical issue that has no affect on taxes the residents and commercial property owners will pay in 2014. If the Board approves the Bill, the rates will remain the same as 2013.

Mayor Willson closed the public hearing at 7:08 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Public Hearing held September 15, 2014 regarding the 2014 Property Tax Rate, (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, SEPTEMBER 15, 2014  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:08 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

- a. Minutes of the September 2, 2014 Public Hearing regarding a Special Use Permit Request for a fast-food restaurant with drive-through at 28 Stonegate Center

Alderman Clement made the motion to approve the Minutes of the Tuesday, September 2, 2014 Public Hearing regarding a Special Use Permit Request for a fast-food restaurant with a drive-through at 28 Stonegate Center. The motion was seconded by Alderman Schrader and carried unanimously, without objection.

- b. Minutes of the September 2, 2014 Public Hearing regarding the 2014 Property Tax Levy

Alderman Hamill made the motion to approve the Minutes of the Tuesday, September 2, 2014 Public Hearing regarding the 2014 Property Tax Levy. The motion was seconded by Alderman Clement and Alderman Ottenad simultaneously and carried unanimously, without objection.

- c. Minutes of the September 2, 2014 Regular Board of Aldermen meeting

Alderman Hamill and Alderman Clement simultaneously made the motion to approve the Minutes of the Tuesday, September 2, 2014 Regular Board of Aldermen meeting. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Willson advised that Chief Walsh requested that item 10 (c) be withdrawn and put on an agenda at a later date.

Alderman Clement approved the Order of Items on the Agenda, as amended. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

5. Consideration of Petitions and Comments from the Public

a. Comments from the Public

Mr. Bill Vivrett, # 3 Great Knight Court, Saxony Estates, said he was at the meeting as an outspoken citizen on behalf of Manchester Arts. Mr. Vivrett continued to say he wanted to sincerely say “thank you” for the support of Manchester Arts, and he wanted to encourage the members of the Board of Aldermen to continue support as Manchester Arts moves forward implementing plans as they have been outlined, such as the plans for the spring photo competition, the summer concert series and phase two of the utility box public art project.

Mr. Vivrett stated a number of people have told him that they are impressed with the result of the public utility box project. He thanked Director Franz Krintz for his leadership with the utility box project.

Mr. Vivrett stated a precedent has been set, because in this room last Friday evening, an estimated 200 plus people attended a first-of-its-kind event, his art reception.

City Attorney Patrick Gunn said that Mr. Vivrett is being very humble, because the artwork displayed on the walls is that done by Mr. Bill Vivrett.

6. REPORTS FROM THE MAYOR

a. Proclamation honoring Ms. Alexandra Uihlein as “Miss River City”

Mayor Willson presented Ms. Alexander Uihlein, a Parkway South High School graduate, a Proclamation acknowledging Ms. Uihlein as being chosen recently as “Miss River City”. Ms. Uihlein will be competing for the title of “Miss Missouri” at the pageant to be held in June, 2015.

b. Appointment of Dr. Robert Bolla to the Manchester Arts Council

Alderman Clement advised that Dr. Bolla has been very active with the Arts throughout his life.

Mayor Willson stated that Dr. Bolla’s resume had been distributed, and then he nominated Dr. Robert Bolla to become a member of the Manchester Arts Council.

Alderman Clement made the motion for the approval of the appointment of Dr. Robert Bolla to the Manchester Arts Council. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

c. Mayoral Report

Mayor Willson reported that he attended the Manchester Homecoming on September 5, 6, and 7, and the attendance was the best seen in many years. Mayor Willson reported that on September 8, he attended the Planning and Zoning Commission meeting; on September 9, he interviewed the principal at Barrett's Elementary School, he attended the staff meeting on September 11, the Lafayette Area Mayors Organization breakfast on September 12, and the Art Show Friday night for Bill Vivrett.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. Budget Adoption Timeline

City Administrator Hixson stated the budget adoption timeline was handed out and the staff hopes to get it done in two sessions.

b. Missouri Municipal League Conference

City Administrator Hixson stated he has been attending the Missouri Municipal League Conference this week along with City Clerk Ruth Baker and Alderman Marilyn Ottenad.

c. List of Paid Bills (Warrant dates of September 1 – September 9, 2014)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement stated the Planning and Zoning Commission considered a Special Use Permit Request and site plan approval for Culver's Restaurant. The Special Use Permit and the site plan were approved unanimously by the Commissioners.

b. Manchester Homecoming Committee

Alderman Ottenad stated the 2014 Homecoming celebration is now over and it was the 28<sup>th</sup> annual event. They hope a great time was had by everyone. She thanked volunteers and said the City couldn't do it without everyone's help.

c. Manchester Arts

Alderman Stevens echoed Bill Vivertt's comments on the upcoming events for the Arts Council. She thanked everyone who helped with the show.

Alderman Clement added that the City Administrator arranged for the next show. The next show will be Helen Hume's; she was named "Citizen of the Year" for Manchester for 2014.

9. ACTION ON OLD BILLS

a. SUBSTITUTE BILL # 14-2200 – AN ORDINANCE ESTABLISHING THE 2014 PROPERTY TAX LEVY

Alderman Stevens read for the second time Bill # 14-2200, entitled: “AN ORDINANCE ESTABLISHING AND LEVYING THE RATE OF TAXATION UPON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF MANCHESTER FOR CALENDAR YEAR 2014”, by title only.

Alderman Stevens made the motion that Bill # 14-2200 become Ordinance # 14-2086. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

Alderman Stevens - aye  
Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Schrader - aye  
Alderman Ottenad - aye  
Alderman Clement - aye

Mayor Willson announced the motion passed 6 – 0 with no objections.

- b. BILL # 14-2201 – AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A FAST-FOOD RESTAURANT WITH DRIVE THROUGH AT 28 STONEGATE CENTER

Alderman Clement read for the second time Bill # 14-2201, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO KDM ENTERPRISES, LLC, D/B/A JIMMY JOHN’S, TO OPERATE A DRIVE-THRU FAST-FOOD RESTAURANT AT 28 STONEGATE CENTER, AS PROVIDED FOR IN SECTION 405.250(C)(4)(f) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Clement made the motion that Bill # 14-2201 become Ordinance # 14-2087. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Schrader - aye  
Alderman Ottenad - aye  
Alderman Clement - aye  
Alderman Stevens - aye

Mayor Willson announced the motion passed 6 – 0 with no objections.

#### 10. INTRODUCTION OF NEW BILLS

- a. RESOLUTION APPROVING AGREEMENT FOR CONCRETE SIDEWALK ELEVATION CORRECTION PROJECT

Alderman Schrader read proposed Resolution # 14-0503, entitled: "A RESOLUTION ACCEPTING THE BID OF LIFT RITE, INC. IN AN AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND NINE HUNDRED DOLLARS (\$18,900.00), INCLUDING A FIVE PERCENT (5%) CHANGE ORDER IN THE AMOUNT OF NINE HUNDRED DOLLARS (\$900.00) IN THE EVENT OF UNFORESEEN CONDITIONS, FOR THE 2014 CONCRETE SIDEWALK SLAB ELEVATION CORRECTION PROJECT IN THE CITY OF MANCHESTER, AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT THEREFOR", by title only.

Alderman Schrader made the motion that Resolution # 14-0503 be approved. The motion was seconded by Alderman Clement, with no objections.

b. RESOLUTION APPROVING AGREEMENT FOR CONCRETE SIDEWALK REPLACEMENT PROJECT

Alderman Schrader read proposed Resolution # 14-0504, entitled: "A RESOLUTION ACCEPTING THE BID OF SPENCER CONTRACTING CO. IN AN AMOUNT NOT TO EXCEED FORTY THOUSAND SEVEN HUNDRED THIRTY-THREE DOLLARS AND NINETY CENTS (\$40,733.90) INCLUDING A SEVEN AND ONE-HALF PERCENT (7.5%) CHANGE ORDER IN THE AMOUNT OF TWO THOUSAND EIGHT HUNDRED FORTY-ONE DOLLARS AND NINETY CENTS (\$2,841.90) IN THE EVENT OF UNFORESEEN CONDITIONS, FOR THE 2014 CONCRETE SIDEWALK SLAB REPLACEMENT PROJECT IN THE CITY OF MANCHESTER, AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT THEREFOR", by title only.

Alderman Ottenad asked if there is any idea why only two bids were received.

Director of Public Works Bob Ruck answered that he isn't sure. There was a company that previously always turned in a bid, but they did not do so this year.

Alderman Ottenad stated she is not happy with the seven and half percent change order.

Director Ruck stated he understands Alderman Ottenad's concerns, but this is one of the first times in recent years where there were extra funds left over to do unforeseen conditions by adding onto the contract. He said in recent years, if there were unforeseen conditions, he has had to drop off additional slabs to accommodate.

Alderman Diehl asked if they still do grinding of the concrete.

Director Ruck answered they are hesitant to do that, because sometimes by grinding, the good slab is encountered and another slab will drop. He said that is why they try to do the elevation correction and raise the slab up; only in extreme cases do they use the grinding procedure.

Alderman Schrader stated they use grinding for tree roots inside the sidewalk area.

Director Ruck responded that tree roots are to be cut flush straight per the Conservation Department.

Alderman Schrader made the motion that Resolution # 14-0504 be approved. The motion was seconded by Alderman Clement, with no objections

- c. RESOLUTION APPROVING PURCHASE OF TASERS FOR THE POLICE DEPARTMENT USING ASSET FORFEITURE FUNDS

This item was postponed to a future meeting.

- d. BILL AUTHORIZING RELEASE OF ESCROW FOR VILLAS AT HANNA BEND

Alderman Stevens introduced Bill # 14-2202, entitled: "AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO RELEASE ALL FUNDS GUARANTEEING CERTAIN IMPROVEMENTS TO THE PROPERTY AT 1010 HANNA ROAD AND 909, 911, 915, AND 919 BIG BEND ROAD, NOW KNOWN AS THE VILLAS AT HANNA BEND, AND ACCEPTING THE DEDICATION OF CERTAIN RIGHT-OF-WAY WITHIN THE VILLAS AT HANNA BEND, AS MORE SPECIFICALLY SHOWN ON EXHIBIT "A" ATTACHED HERETO", by title only.

No further action at this time.

#### 11. MISCELLANEOUS

- a. Comments from the Public

There were no comments from the Public.

City Attorney Gunn stated he wanted to thank Director Franz Kraintz for his service and to wish him good luck in his future endeavors.

Director Kraintz thanked Attorney Gunn for his comments and said he has enjoyed working with the mayor, board, staff, citizens and businesses.

#### 12. EXECUTIVE SESSION:

- a. CLOSED SESSION: PURSUANT TO SECTION 610.021 (12) OF THE REVISED STATUTES OF THE STATE OF MISSOURI PERTAINING TO DISCUSSING SEALED PROPOSALS AND RELATED DOCUMENTS, OR OTHER DOCUMENTS RELATED TO A NEGOTIATED CONTRACT UNTIL A CONTRACT IS EXECUTED, OR ALL PROPOSALS ARE REJECTED.

Alderman Hamill made the motion to go into Closed Session: Pursuant to Section 610.021 (12) of the Revised Statutes of the State of Missouri pertaining to discussing sealed proposals and related documents, or other documents related to a negotiated contract until a contract is executed, or all proposals are rejected.

The motion was seconded by Alderman Clement.

A poll of the Board showed:



Alderman Diehl - aye  
Alderman Schrader - aye  
Alderman Ottenad - aye  
Alderman Clement - aye  
Alderman Stevens - aye  
Alderman Hamill - aye

Mayor Willson announced the motion passed 6 – 0 with no objections.

13. ADJOURNMENT

At 8:20 p.m., after the Executive Session, there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Clement and carried unanimously, without objection. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held September 15, 2014 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*